

Earl Ball and Linda Ball, Plaintiffs

619 S. Cochise Ave.

Willcox, Az 85643

716-440-5440

FILED

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AMY J. HURLEY
CLERK OF SUPERIOR COURT

BY B
DEPUTY

CASE NUMBER

CV201900270

COMPLAINT

CIVIL

DIV. 6

Bert Ball, Defendant

10177 Dutch Hill Rd.

West Valley, New York 14171

716-592-9168

Plaintiffs allege:

1. This claim arises from: Tort.
2. Venue in this precinct is proper because: the plaintiffs reside in this jurisdiction per ARS 12-401-1.
3. The defendant is being sued in this case for the damages caused by his slander and defamation of character, conspiracy to defraud, and malicious and inflammatory statements.
4. The plaintiff is asking: Court costs and fifty thousand Dollars in actual damages, \$200,000 in punitive, plus a restraining order.
5. We state under penalty of perjury the foregoing is true and correct.

Date: 7/3/2019

Earl Ball Plaintiff

Earl Ball

Date: 7/3/2019

Linda Ball Plaintiff

Linda Ball

FILED

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AMY J. HUNLEY
CLERK OF SUPERIOR COURT

WYBY DEPUTY

**COCHISE COUNTY SUPERIOR COURT
IN AND FOR THE COUNTY OF COCHISE**

EARL BALL,
LINDA BALL,
Plaintiffs,

Vs.

BERT BALL,

Respondent

CASE NO. **CV201900270**

**PLEADING IN SUPPORT OF TORT
CLAIM**

JURY TRIAL REQUESTED

Argument in support of tort claim hereto attached.

Respectfully submitted this 3rd day of July, 2019.

Earl Ball
Earl Ball, Plaintiff, *In Pro Se*

Linda Ball
Linda Ball, Plaintiff, *In Pro Se*

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1 store, Mr. Earl Ball found the card when it fell to the ground after the back door
2 was opened. Mr. Earl Ball immediately called Mr. Maza. The parole officer told
3 Mr. Ball that the reason he had stopped by was to give him some new instructions
4 on the further action he was requiring him to take. However, Mr. Maza did not
5 have that information with him at that time and requested Mr. Ball call him again
6 in the morning to obtain further instructions. Mr. Ball agreed to do so.
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9 The following morning Mr. Earl Ball received a phone call from Mr. Maza who
10 told him that he was on his way to the Willcox residence. When the parole
11 officers arrived they informed Earl and Linda Ball that they were going to perform
12 a search and began to search the vehicle then the residence. Despite their efforts
13 they never found what they were looking for: video tapes containing child
14 pornography. Nor did they find any VCR in the residence or the vehicle. The only
15 items they questioned and concentrated on were some photocopies along with a
16 Civil Rights Lawsuit (CV16-0322TUVDCBSPOT) in a black briefcase that was on
17 the floor of the office beside Linda's desk. When the parole officers questioned
18 the residents about the above described items, Mr. Earl Ball explained that the
19 photocopies and the Civil Rights Lawsuit (that had been filed on 6/02/2016 shortly
20 before Mr. Earl Ball was released from prison) were a legal package that was being
21 held until the court notified Mr. Earl Ball that the court was ready for presentation
22 of evidence. When Linda Ball tried to answer the police officers' questions, they
23 recommended that she stay out of it. The truth was Linda Ball had secured the
24 evidence and the original copy of the lawsuit in her black briefcase until the court
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1 requested it, she believed that Mr. Earl Ball should not hold it in his possession.
2 Again, she was advised if she didn't want to be charged she should stay out of it.
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8 The Safford Parole Office Supervisor Don Verett phoned the Willcox Police
9 Department to request officers to be sent to the Willcox residence. Despite Mr.
10 Earl Ball's explanation, the Chief of the Willcox Police Department was also
11 summoned to give his advice on the circumstances. Chief Rios determined Mr.
12 Earl Ball and Linda Ball the plaintiffs could not be telling the truth. So, because
13 Chief Rios does not know the law, Mr. Ball was handcuffed, taken to the Willcox
14 Police Department and then without any charges was transferred to Ft. Grant
15 Prison and confined to solitary confinement. A few weeks later he was transferred
16 to ASPC Eyman in Florence, Arizona. No arrest warrant was ever issued that day,
17 in fact the only warrant issued on October 27, 2016, was from the Arizona
18 Department of Corrections. To this date his arrest and return to prison are both
19 illegal acts.
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25 After Mr. Earl Ball was handcuffed and removed from the home Detective
26 Reno of the Willcox Police Department left the Plaintiff's residence and went to
27 the Willcox Justice Court where he filed a completely false and untruthful
28 statement in order to obtain a search warrant for that residence. In his statement to
29 the Justice court Reno claimed that Mr. Earl Ball was in violation of ARS 13-3821
30 sexual offender registration. Mr. Earl Ball had explained the materials found by
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1 by the parole officers were evidence in his Civil Rights Lawsuit. Because the
2 Chief of Police of Willcox Police Department decided Mr. Earl Ball was lying, he
3 was not given a chance to provide proof of innocence. The police department
4 knew that the claim of violating registration was NOT true because Mr. Earl Ball
5 had just recently met with Detective Villa and with Chief Rios when he turned in
6 his registration paperwork to them on direction from his parole officer, Officer
7 Maza.
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11 IV

12 The search warrant was granted and served on plaintiff, Linda Ball. After
13 over 5 hours, electronic devices, cell phones and a myriad of paperwork (including
14 the Civil Rights Lawsuit and the corresponding evidence referenced above) were
15 seized and removed from the residence. In response to the illegal search and
16 seizure the plaintiff, Linda Ball filed a lawsuit against Detective Reno and the
17 Willcox Police Department. In July of 2017 she was contacted by the attorney for
18 Detective Reno informing her that she would be allowed to retrieve her property
19 from the Willcox Police Department. When the property officer gave her the box
20 of property the only items in it were the cell phones, a tablet and computer. When
21 she inquired why only the electronic items were being returned, the property
22 officer did not know the answer. She advised Ms. Ball to contact the Cochise
23 County Attorney for the answer. After nine months of suggesting that further
24 charges were pending against Linda Ball and Mr. Earl Ball only part of the items
25 seized were returned. The police department is still withholding the Civil Right
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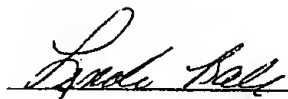
1 Lawsuit and corresponding evidence, thus interfering with the legal process of that
2 lawsuit. To date there have been no criminal charges filed against either Earl Ball
3 or Linda Ball. So what laws did they violate? Evidentially making his brother
4 mad enough to lie to a parole officer in Arizona was Mr. Earl Ball's violation. So
5 why was the Plaintiff, Linda Ball, treated like a criminal in her own home? The
6 only laws broken on the night of October 26, 2016 were committed by the
7 defendant, Mr. Bert Ball and his co-conspirators in the Safford Parole office and by
8 the members of the Willcox Police Department heretofore named.
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12 Therefore, the plaintiffs pray for just compensation and any other relief the
13 court may deem appropriate.
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16 **RESPECTFULLY SUBMITTED** this 3rd day of July, 2019
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21 Earl Ball, Plaintiff, *In Pro Se*
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25 Linda Ball, Plaintiff, *In Pro Se*
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Clerk of the Cochise County Superior Court
100 Colonia De Salud #202
Sierra Vista, Az 85635